

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>		Attorney Docket No.:	AME1255P0013
		First Named Inventor:	Edward T. Jones
<i>COMPLETE IF KNOWN</i>			
<input type="checkbox"/> Declaration Submitted With Initial Filing <input checked="" type="checkbox"/> Declaration Submitted After Initial Filing (surcharge (37 CFR 1.16(a)) required	Application Number:	09/377,121	
	Filing Date:	August 19, 1999	
	Group Art Unit:	1721	
	Examiner Name:	Not Assigned	

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed) or an original, first, and joint inventor (if plural names are listed) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Diesel Fuel Additive Composition and Method for the Treatment of Diesel Fuels, the specification of which:

is attached hereto; or

was filed on August 19, 1999  
 as Application Serial No. 09/377,121  
 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information to the Patent and Trademark Office known to me to be material to patentability of this application, as defined in 37 CFR. 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet (PTO/SB/02B) attached hereto

I hereby claim the benefit under 35 U.S.C. 119 (e) of any United States application(s) listed below.

Application Number(s)	Filing Date	[ ] Additional provisional application numbers are listed on a supplemental priority data sheet (PTO/SB/02B) attached hereto.

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date	Parent Patent Number (if applicable)
09/156,420	September 18, 1998	

[ ] Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet (PTO/SB/02B) attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Lawrence J. Chapa	Reg. No. 39,135	Paul M. Odell	Reg. No. 28,332
Randall T. Erickson	Reg. No. 33,872	Robert B. Polit	Reg. No. 33,993
Stephen D. Geimer	Reg. No. 28,846	Elaine M. Ramesh	Reg. No. 43,032
Allen J. Hoover	Reg. No. 24,103	Keith V. Rockey	Reg. No. 24,713
Martin L. Katz	Reg. No. 25,011	Thomas I. Ross	Reg. No. 29,275
Kathleen A. Lyons	Reg. No. 31,852	Joel E. Siegel	Reg. No. 25,440
John P. Milnamow	Reg. No. 20,635	Paul M. Vargo	Reg. No. 29,116
Lisa V. Mueller	Reg. No. 38,978		

whose mailing address for this application is: ROCKEY, MILNAMOW & KATZ, LTD.  
Two Prudential Plaza - Suite 4700  
180 North Stetson Avenue  
Chicago, Illinois 60601  
Telephone: (312) 616-5400  
Facsimile: (312) 616-5460

statements and the like so made are punishable by fine or imprisonment, or both, under 35 U.S.C. 301 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of First Named Inventor:	Edward T. Jones
Citizenship:	US
Residence:	836 N. Eighth Avenue, Sturgeon Bay, WI 54235
Post Office Address:	Same As Above
Signature: Nonsigning Inventor-completed on added page.	Date:

Name of Additional Inventor, if any:	Richard Fisher
Citizenship:	US
Residence:	1221 East Donges Court, Milwaukee, WI 53217
Post Office Address:	Same As Above
Signature:	Date: 10/26/99

Name of Additional Inventor, if any:	Lewis Herro
Citizenship:	US
Residence:	945 13 <sup>th</sup> Street, Grafton, WI 53024
Post Office Address:	Same As Above
Signature: Lewis M. Herro ...	Date: 10/26/99

Name of Additional Inventor, if any:	
Citizenship:	
Residence:	
Post Office Address:	
Signature:	Date:

Name of Additional Inventor, if any:	
Citizenship:	
Residence:	
Signature:	Date:

# Assignment

Serial No.: 09/377,121

Filed: August 19, 1999

**In Consideration** of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, the entire right, title and interest in the invention or improvements of the undersigned in **DIESEL FUEL ADDITIVE COMPOSITION AND METHOD FOR THE TREATMENT OF DIESEL FUELS** and in the application for Letters Patent of the United States therefor, executed by the undersigned concurrently herewith, and in any reissue or extension of any Letters Patent that may be granted upon said application are hereby assigned by the undersigned to **American Energy Group, Inc.**, a **Wisconsin** corporation, having offices at and the heirs, successors, legal representatives and assigns of **American Energy Group, Inc.** (hereinafter collectively called said Assignee), and the Commissioner of Patents and Trademarks is hereby authorized and requested by the undersigned to issue said Letters Patent to said Assignee.

**For said considerations** it is hereby agreed by the undersigned, upon the request of said Assignee, to execute any necessary and proper oaths or affidavits relating to said application or required for the filing or prosecution of any divisional or continuing application thereof or for the filing or prosecution of any application for the reissue or extension of any Letters Patent that may be granted on said invention or improvements that said Assignee may deem necessary or expedient, and for the said considerations it is further agreed by the undersigned, upon the request of said Assignee, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof, becoming involved in Interference, to cooperate to the best of the ability of the undersigned with said Assignee in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and further to perform, upon such request, any and all affirmative acts to obtain said Letters Patent and vest all rights therein hereby conveyed in the said Assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made. And for the said considerations the entire right, title and interest in said invention or improvements, including all priority rights, and the right to claim priority rights and the privileges and benefits thereof, including those under the International Convention and all other Conventions, and the right to file applications for patent in said Assignee's own name for said invention or improvements in each and every country of the world are hereby assigned and granted by the undersigned to said Assignee. It is further agreed by the undersigned, upon the request of said Assignee, to execute any and all documents that shall be required of the undersigned to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said Assignee. The undersigned also further agrees, for the said considerations, upon the request of said Assignee, to promptly perform all lawful acts deemed by said Assignee to be necessary or advisable in connection with maintaining

Serial No.: 09/377,121

Filed: August 19, 1999

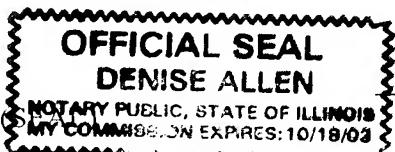
Lewis M. Shew ...

Lewis M. Herro

Executed this 28<sup>th</sup> day of March, 2001.

State of ILLINOIS )  
County of COOK ) ss.

On 28 MARCH, 2001, Lewis M. Herro appeared before me, a Notary Public, in and for the State and County aforesaid, and acknowledged that he/she freely and voluntarily subscribed and executed the foregoing Assignment for the purposes and uses therein expressed.



Denise Allen

## Notary Public

My Commission Expires:

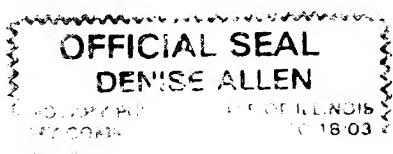
10/18/23

Richard Fisher

Executed this 28<sup>th</sup> day of March, 2001.

State of ILLINOIS )  
County of COOK )

On 28 March, 2001, Richard Fisher appeared before me, a Notary Public, in and for the State and County aforesaid, and acknowledged that he/she freely and voluntarily subscribed and executed the foregoing Assignment for the purposes and uses therein expressed.



My Commission expires: 10/18/05

Serial No.: 09 377,121

Filed: August 19, 1999

\* \* \* \* \*

\* \* \* \* \*

---

Edward T. Jones

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

State of \_\_\_\_\_ )  
                    ) ss.

County of \_\_\_\_\_ )

On \_\_\_\_\_, 2001, Edward T. Jones appeared before me, a Notary Public, in  
and for the State and County aforesaid, and acknowledged that he/she freely and voluntarily  
subscribed and executed the foregoing Assignment for the purposes and uses therein  
expressed.

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(SEAL)

Notary Public

My Commission Expires: \_\_\_\_\_

\* \* \* \* \*

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.  
AME1255P0010-3081

Serial No. 09/156,420	Filing Date September 18, 1998	Patent No.	Issue Date
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Applicant/  
Patentee: **Edward T. Jones**

Invention: **Fuel Additive Composition And Method For The Treatment Of Fuels**

I hereby declare that I am:

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: American Energy Group, Inc.

ADDRESS OF CONCERN: 1221 East Donges Court, Milwaukee, WI 53217

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

the specification filed herewith with title as listed above.  
 the application identified above  
 the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern or organization exists.
- each such person, concern or organization is listed below.

FULL NAME American Energy Group, Inc.

ADDRESS 1221 East Donges Court, Milwaukee, WI 53217

Individual  Small Business Concern  Nonprofit Organization

FULL NAME

ADDRESS

Individual  Small Business Concern  Nonprofit Organization

FULL NAME

ADDRESS

Individual  Small Business Concern  Nonprofit Organization

FULL NAME

ADDRESS

Individual  Small Business Concern  Nonprofit Organization

Separate **verified** statements are required from each named person, concern or organization having rights to the invention **averring** to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Richard Fisher

TITLE OF PERSON SIGNING

OTHER THAN OWNER:

ADDRESS OF PERSON SIGNING: 1221 East Donges Court, Milwaukee, WI 53217



**UNITED STATES DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D C 20231

APRIL 06, 2001

PTAS

ROCKEY, MILNAMOW & KATZ, LTD.  
KATHLEEN A. LYONS  
TWO PRUDENTIAL PLAZA  
180 NORTH STETSON AVENUE, SUITE 4700  
CHICAGO, ILLINOIS 60601



\*101632409A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/05/2001

REEL/FRAME: 011456/0809  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HERRO, LEWIS M.

DOC DATE: 03/28/2001

ASSIGNOR:

FISHER, RICHARD Y.

DOC DATE: 03/28/2001

ASSIGNEE:

AMERICAN ENERGY GROUP, INC.  
1591 FIFTH AVENUE  
GRAFTON, WISCONSIN 53024

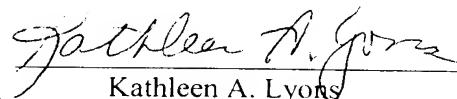
SERIAL NUMBER: 09377121  
PATENT NUMBER:

FILING DATE: 08/19/1999  
ISSUE DATE:

STATE OF ILLINOIS      )  
                            )  
COUNTY OF COOK      )

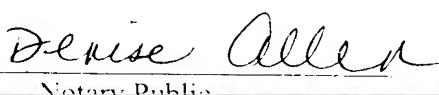
I, Kathleen A. Lyons, a Patent Attorney, being first duly sworn on oath, depose and state that the attached is a true and exact copy of the Affidavit of Edward T. Jones relinquishing all right, title and interest in and to the formulae for and other intellectual property related to the invention in respect of U.S. Serial No. 09/377,121 filed August 19, 1999 from Edward T. Jones to American Energy Group, Inc.

Signed at Chicago, Illinois this 28<sup>th</sup> day of March, 2001.

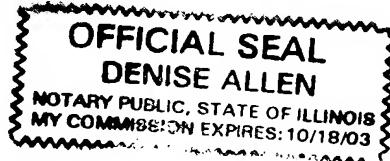
  
Kathleen A. Lyons

STATE OF ILLINOIS      )  
                            )  
COUNTY OF COOK      )

On the 28<sup>th</sup> day of March, 2001, before me appeared the above-named, Kathleen A. Lyons, a Patent Attorney.

  
Denise Allen  
Notary Public

(Seal)



TO: The Commissioner of Patents and Tra  
Please record the attached original doc

101632409

D.C. 20231

<b>SUBMISSION TYPE</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Resubmission (Non-Recordation) Document ID#: _____ <input type="checkbox"/> Correction of PTO Error Reel #: _____ Frame#: _____ <input type="checkbox"/> Corrective Document Reel #: _____ Frame#: _____		<b>CONVEYANCE TYPE</b> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Security Agreement <input type="checkbox"/> License <input type="checkbox"/> Change of Name <input type="checkbox"/> Merger <input checked="" type="checkbox"/> Other <b>U.S. Government</b> <b>(For Use ONLY by U.S. Government Agencies)</b> <input type="checkbox"/> Department File <input type="checkbox"/> Secret File
<b>CONVEYING PARTY(IES):</b> (Last name first)  HERRO, Lewis M. <u>Execution Date</u> March 28, 2001 FISHER, Richard Y.      March 28, 2001		<b>RECEIVING PARTY:</b> Name: American Energy Group, Inc. Address: 1591 Fifth Avenue City: Grafton State: Wisconsin Zip Code: 53024
Mark if additional names of conveying parties attached <input type="checkbox"/>		Mark if additional names of receiving parties attached <input type="checkbox"/>
<b>APPLICATION NUMBER(S) OR PATENT NUMBER(S)</b> <i>Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).</i> If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named inventor: <u>00 00 00</u>		Mark if additional numbers attached <input type="checkbox"/>
<b>Patent Application Number(s):</b>  <u>09/377,121; filed August 19, 1999</u>		<b>Patent Number(s):</b>  <u>65 123 456 789</u>
<b>TOTAL NUMBER OF PROPERTIES:</b> Enter the total number of properties involved: <u>one</u>		
<b>PATENT COOPERATION TREATY (PCT):</b> Enter PCT application number only if a U.S. Application Number has not been assigned:		<b>NUMBER OF PAGES:</b> Enter the total number of pages contained in the conveyance document including any attachment(s). DO NOT include the Recordation Form Cover Sheet pages in this total <u>Six</u>
<b>CORRESPONDENT NAME AND ADDRESS:</b> Rockey, Milnamow & Katz, Ltd. Two Prudential Plaza 180 North Stetson Avenue, Suite 4700 Chicago, Illinois 60601 (312) 616-5400		<b>FEE AMOUNT:</b> Total Fee (37 CFR 3.41) <u>120.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge to Deposit Account 04-1644 <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account 04-1644.

**STATEMENT AND SIGNATURE**

I, the undersigned, declare that I have read the above document and that it is my own original work and is not a抄袭 (copy) of another's work.

*Charge 120.00*

Reg. No. 31,852

Name of Person Signing

*J. Stetson* *4/4/01*  
Signature

April 4, 2001

Date

FEA 01 1003 8  
1/14/99

AFFIDAVIT OF EDWARD T. JONES  
PRESIDENT, NUTECH ENGINEERING INTERNATIONAL, INC.

OZAUKEE COUNTY      )  
                          ) ss.  
WISCONSIN              )

I, Edward T. Jones, being duly sworn under oath, state and depose as follows:

1. I am presently the President of Nutech Engineering International, Inc. ("Nutech"), and was the President of Nutech on March 31, 1998.
2. On or about March 31, 1998, Nutech sold various of its assets to American Energy Group, Inc., a Wisconsin corporation ("AEG"). Included in the assets which Nutech sold to AEG were all right, title and interest in and to the formulae for and other intellectual property related to the products enumerated in Exhibit A, attached hereto (the "Formulae"). Among these products were four fuel additives which are listed below and which are also identified by the United States Environmental Protection Agency ("the EPA") internal identification numbers listed below:

1765-0001	Pro-Motion Gasoline Treatment
1765-0001	Centron Gasoline Treatment
1765-0002	Pro-Motion Diesel Fuel Treatment
1765-0002	Centron Diesel Fuel Treatment

3. As President of Nutech and on its behalf as the manufacturer, I previously registered some or all of the Formulae with the EPA as fuel additives.
4. Sometime after March 31, 1998, I obtained registration of some or all of the Formulae on behalf of AEG pursuant to a supplemental notification.
5. Neither I nor Nutech claims any further interest in the Formulae and AEG is entitled to access to any and all confidential information regarding the Formulae which the EPA may have or which may have been filed in connection with any prior notification with respect to the Formulae made by Nutech, or in connection with any information provided by Nutech which was supplemental to such notification.

100-1000-1000-1000

FER 3/1/1999

100-1000-1000-1000

6. AEG or its designee is the sole entity entitled to access to the information described in paragraph 5 above.

7. I am not an officer or director of AEG and have no authority to act on its behalf.

8. I am giving this Affidavit for the purpose of enabling AEG and its authorized representatives to gain and have exclusive access to all information provided to the EPA, and other regulatory agency or body, by Nusach with respect to the Formulæ.

Edward T. Jones  
Edward T. Jones

Subscribed and Sworn to before me  
this 29 day of January, 1999.

Alonzo J. Wacker  
Notary Public, State of Wisconsin, Door County  
My Commission Expires 30 May 1999